

Remarks/Argument

The Applicant has amended claims 3 and 4 to correct some minor errors. The Applicant has further amended claims 1 through 4 to add the limitation “setting a deadline for each message in the queue, the deadline determined by the message”. No new matter has been added.

The Applicant respectfully traverses the Examiner’s rejection of claims 1 to 4 of the present application, particularly in light of the amended claims. In particular, the Applicant submits that the step “setting a deadline for each message in the queue, the deadline determined by the message” is not disclosed in DeMoney or Goldberg individually, or in combination.

As stated by the Examiner in paragraph 14 of the Office Action, DeMoney in combination with Goldberg teaches “the system calculates the deadline to coincide with the time a buffer will be needed...the deadline time indicates the latest time when the buffer can be filled and still meet the guaranteed rate requirement of the particular stream”. Therefore the deadlines are based on the time available within the buffer. As stated in DeMoney, in Col. 11, lines 51-56, “To accomplish this goal deadlines are associated with each request submitted to the storage system. The system calculates the deadline to coincide with the time a buffer will be needed by noting the stream rate block size and the number of existing unconsumed buffers.”

In the present application, the deadlines are determined by the *messages*, themselves, not by the unconsumed buffers or the stream rate block size. In Goldberg, the need for acceleration is determined by the user, and not by the messages. Hence, neither Goldberg or DeMoney teach the determination of the deadlines by the messages, and in fact both teach away from it, as in Goldberg, the deadlines are driven by the user’s need to “catch up” and in DeMoney, the deadlines are driven by the buffers.

Given the above remarks, the Applicant respectfully requests that a timely Notice of Allowance be issued.

Respectfully submitted,

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